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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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| In the Matter of | ) | |
| | ) | |
| The Use of N11 and Other Abbreviated Dialing Arrangements | ) | CC Docket No. 92-105 |

COMMENTS OF BT NORTH AMERICA INC.

Pursuant to the Notice of Proposed Rulemaking[1] issued by the Federal Communications Commission on May 6, 1992, BT North America Inc. ("BTNA"), by its attorneys, hereby submits the following comments. As a provider of nationwide enhanced services, BTNA is acutely aware of the technical and competitive questions which arise from the implementation of interconnection and access policies. It is from this perspective that BTNA has concluded the releasing N11 numbers in order to permit the provision of enhanced services is not good public policy.

## I. INTRODUCTION

BTNA is a wholly-owned subsidiary of British Telecommunications plc. A major component of BTNA's operations is the Tymnet® network, a worldwide value-added network that provides a broad range of sophisticated and

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1 Notice of Proposed Rulemaking, CC Docket No. 92-105, FCC 92-203, (released May 6, 1992) [hereinafter "NPRM"].

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innovative services to its subscribers. Combining local access ports, dedicated lines, and special data processing equipment, BTNA's Tymnet network offers a variety of enhanced services including protocol conversion, code conversion, speed conversion, error detection, electronic mail, electronic settlements, electronic data interchange, and credit card authorizations.

## II. N11 NUMBERS SHOULD NOT BE RELEASED FOR USE IN THE PROVISION OF ENHANCED SERVICES.

ESPs connect customers to their services through 7-digit local telephone numbers. ESPs are often required to use multiple numbers in a given geographic area and thus, on a nationwide basis, customers must have directories which contain hundreds of access numbers. Access to enhanced services would be greatly enhanced if LECs provided regionwide or nationwide uniform 7-digit access. ESPs have been concerned about uniform access since the beginning of the ONA process.

On October 9, 1987, Telenet Communications Corporation and Tymnet-McDonnell Douglas Network Systems Company submitted a list of five priority BSEs that should be immediately implemented by the BOCs. The second item on that list was uniform access numbers for business lines.

After the formation of the Information Industry's Liaison Committee ("IILC"), ESPs sought to make the

development of uniform 7-digit access number a high priority. On February 23, 1989, ESPs introduced that issue in IILC. For the last several years, IILC has been considering these questions as IILC Issue 011. Seven alternatives were considered:

1. 7-digit numbering plan;
2. N11 numbering;
3. 800 numbering-NXX method;
4. 800 numbering data base method;
5. 900 numbering-NXX method;
6. 900 numbering data base method; and
7. New SAC assignments.

The BOC representatives have concluded that all of these alternatives are currently unacceptable. Instead, it now appears that provisioning of a line-side uniform access number will await the release of Intelligent Network ("IN") services.[2] However, there are no firm projected dates for the introduction of this service. While BellSouth and NYNEX currently offer a 7-digit trunk-side service,[3] it is not clear the extent to which carriers offer a 7-digit line-side uniform access number.

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2 IILC Issue Statement 011, Attachment II at 2 (Mar. 18, 1992).

3 Id. at 1.

BTNA recognizes that there are technical and economic issues which must be resolved before such a service can be implemented. It is of the view, however, that BOCs have shown little interest in promptly resolving these issues. BTNA is particularly concerned that the BOCs appear unwilling to take steps necessary to create a 7-digit numbering plan when they were able to do so for 950-Feature Group B and NYNEX has apparently been able to do so with 910 and 920.

As frustrated as BTNA is about the availability of a uniform access number, it still strongly opposes the release of N11 numbers for the provision of enhanced services. First, it is clear that these numbers will be needed soon in order to meet current needs of the North American Numbering Plan ("NANP").[4] BTNA does not believe it is realistic to expect that entities which secured N11 access codes would promptly or graciously return those access codes when required by NANP planning. It is not difficult to imagine the arguments about "investment" and "customer confusion" that would be advanced to prevent or delay the return of the N11 codes.

Second, the N11 codes are an extremely scarce resource. Only 4 are available and even the addition of N11# or N11* leaves a relatively small number of codes available

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4 NPRM at ¶ 7.

for distribution.[5] The Commission's experience with the carrier identification codes ("CIC"), the data network identification codes ("DNIC") and 950 suggests that thousands of requests for uniform access codes would be received. Neither the N11 nor N11#/N11* could meet the demand which can be realistically anticipated. Third, regardless of how one selected the recipients of N11, the winner would be in a position to collect monopoly rents because of the extreme value of that scarce resource. The Commission recognizes that it may be creating a very valuable commodity by releasing N11 codes and seeks comment on whether holders of such code should be allowed to transfer them.[6] BTNA is of the view that the question itself illustrates why the Commission should not create an access mechanism which confers significant economic benefit on a few access code holders. The problem is exacerbated because certain of the N11 codes, i.e., 411 and 911, have a special "public interest aura" associated with their use.

Finally, if the Commission concludes that N11 codes can be utilized to provide enhanced services and that the BOCs would be permitted to utilize 411 or any other code to offer such services, the comparably efficient interconnection ("CEI") policies which were first enunciated

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5 N11# and N11* cannot be utilized with rotary phones.

6 NPRM at ¶ 15.

in the Protocol Waiver Order[7] would be dramatically undercut. If only 4 or 6 codes are available, in addition to 411 which the BOCs utilize, by definition, an ESP who does not secure a code is denied comparably efficient interconnection.

It is not clear precisely how N11 would be provisioned nor how much investment is required to implement the service. It appears that some "minor modifications" to carrier switches may have to occur.[8] It also may be true that changes to customer access equipment would be necessary. Such additional investment should not be incurred to enhance the value of a scarce asset and thus create a mechanism which fosters regulatory problems and economic dislocation. Additional investment and effort should be directed toward a solution which will provide comparably efficient interconnection through codes sufficient to meet the need of all that reasonably seek them. BTNA believes that the appropriate model is the 7-digit uniform access number, and the Commission should direct IILC participants to devise a plan which will promptly provide nationwide uniform 7-digit line-side access numbers.[9]

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7 See Petitions for Waiver of Section 64.702 of the Commission's Rules, 100 F.C.C. 2d 1057 (1985).

8 NPRM at ¶ 10.

9 BellSouth brought N11 to IILC in Issue 036.

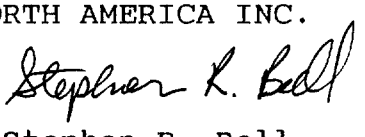
It is essential that the Commission play a significant role in the development of access policies. First, of course, the FCC adopted the comparably interconnection standard which is a keystone of Open Network Architecture ("ONA"). Moreover, there is a significant advantage in uniformity of access. Access technology should be as uniform as possible, and uniform access numbers should be available on as broad a geographical base as possible. The Commission is in a unique position to play a key role in guiding this process toward uniformity. States have an interest in access technology and the cost associated with its implementation and the various state commissions' views should be carefully considered. The need for Commission's intervention is illustrated here by the fact that the process which the Commission set in motion -- IILC -- has failed to develop a solution to the problem of uniform access.

## III. CONCLUSION

For the reasons stated above, BTNA is of the view that the Commission should not release N11 codes for use in the provision of enhanced services, but instead should direct IILC to promptly devise a nationwide uniform 7-digit line-side access numbering plan.

Respectfully submitted,

BT NORTH AMERICA INC.



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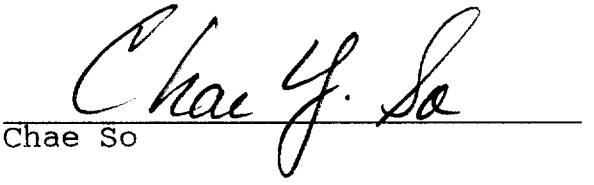
June 5, 1992

CERTIFICATE OF SERVICE

I, Chae So, hereby certify that copies of the foregoing Comments of BT North America were served by hand or by First-Class U.S. Mail, postage prepaid, upon the parties appearing on the attached service list, this 5th day of June 1992.



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